

REMARKS

Applicant has considered the outstanding official action. It is respectfully submitted that the claims are directed to patentable subject matter as set forth below.

The drawings are objected to under 37 C.F.R. § 1.83(a) for not showing every feature of the invention specified in the claims, namely "a biometric sensor", "multiple transceivers", and "a software manager" of claim 1. Applicant is submitting replacement drawings wherein Figure 1 has been changed to Figure 1A and Figure 1B has been added. Figure 1B illustrates a preferred embodiment of the mobile device of the invention having a mobile handset device with a biometric sensor, multiple transceivers and a software manager. Support for Figure 1B is present at page 13, paragraph [00026]. No new matter has been added. Acceptance of the replacement drawings is respectfully requested.

Claim 22 is rejected under 35 U.S.C. § 112, second paragraph, as having insufficient antecedent basis for the limitations "with the transceiver via a radio transmission" and "wherein the transceiver is adapted to transfer." Claim 22 has been amended to clarify these elements. Withdrawal of the § 112 rejection on the above basis is requested.

Claims 22, 25, 26, 28, 29 and 30 are rejected under 35 U.S.C. § 112, second paragraph, on the alleged basis that the phrase "and/or" renders the claims indefinite. Applicant respectfully disagrees since only a limited and determinable number of combinations are presented by the term "and/or". However, applicant has amended these claims to use other equivalent phrasing in order to advance prosecution. Withdrawal of the § 112 rejection is requested.

Claims 13-31 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,850,147 B2 (Prokoski).

Claims 13, 18, 20 and 22 are the pending independent claims. Claim 13 claims a mobile device for carrying out transaction applications. The mobile device comprises a single mobile handset device including a biometric sensor adapted for direct evaluation of a control function to obtain access on an interactive Internet or mobile phone portal. The biometric sensor is activatable by a preselected personal trait. The mobile handset device further includes multiple transceivers, wherein at least one of the multiple transceivers is a Near Field Communication transceiver, and a software manager to evaluate the control

function against a predetermined list which controls use of the handset device as an electronic universal key for remote applications over the transceivers including tracking, opening or locking locks, reading and describing active transponders, direct payment functions for electronic cash or payment, process of services and obtaining information.

Claim 18 claims a mobile device for carrying out transaction applications comprising a single mobile handset device; at least one Near Field Communication transceiver adapted to process and transfer at least one of payment, access-control, active transponders and air-lock identifications, each being cleared on a preselected account on a server by direct or indirect Global System For Mobile Communications or interactive Internet link; and optional extension kit.

Claim 20 claims a method for carrying out transaction applications comprising processing and transferring through a Near Field Communication transceiver in a mobile handset device at least one of a payment, access-control, active transponders and air-lock identification, following clearance on a preselected account on a server by direct or indirect Global System For Mobile Communications or interactive Internet link.

Claim 22 claims an All In One Remote Key device comprising a mobile device including a biometric sensor. The biometric sensor evaluates at least one of an access, a code, a number, a password, an identification, an authentication, an authorization or a control function. The All In One Remote Key device further comprises at least one first transaction transceiver operating via Near Field Communication and optionally at least one second transaction transceiver operating via one of Global System For Mobile Communications, Bluetooth, Wireless Local Area Network, Ultra-Wideband, or Infrared Data Association. The All In One Remote Key device further optionally comprises at least one of a memory, a display, a key pad, a microphone, a high speaker, a central processing unit, a computer, an accumulator, a solar-panel, and a camera, which mechanically or electronically interfaces with the at least one first transaction transceiver via a radio transmission. The at least one first transaction transceiver is adapted to transfer at least one of a transaction, an application or information from an account server to the mobile device or from a first mobile device to a second mobile device.

Applicant respectfully submits that Prokoski does not teach each and every element of the claimed devices or

methods and, thus, does not anticipate the claims within the meaning of 35 U.S.C. § 102. More specifically, Prokoski discloses a personal biometric key system which uses a personal identity code transmitted to a universal biometric electronic lock via a communication system and uses a clock or GPS chip and allows a person to select one or more personal biometric methods and to be personally responsible for the maintenance of the sensor and its availability. The communications protocol which Prokoski teaches for use for the personal biometric key is transmission via Bluetooth. Prokoski does not teach a mobile device having a Near Field Communication (NFC) transceiver as claimed in each of the independent claims. Prokoski does not disclose the use of one or more NFC transceivers or NFC protocols as claimed. Rather, Prokoski only discloses the use of Bluetooth transmitters for communications protocol.

While NFC and Bluetooth are both short-range communication technologies, differences do exist between NFC and Bluetooth. Bluetooth is not full duplex, whereas NFC is full duplex and allows very quick identification. NFC, as compared to Bluetooth, has a shorter set-up time. This provides significant advantage in the present claimed devices and methods. For example, instead of performing

manual configurations to identify Bluetooth devices, the connection between NFC devices is established at once (under a tenth of a second). Additionally, NFC has a shorter range, i.e., less than 20 cm or within a 10 cm radius, whereas the range of Bluetooth is about 10 m. The shorter range of NFC provides security and makes NFC suitable for crowded areas where correlating a signal with its transmitting physical device (and by extension, its user) might otherwise prove impossible. This security is enhanced by the fact that NFC interacts immediately within milliseconds without configuration as set forth above. Further, in contrast to Bluetooth, NFC is compatible with existing RFID (radio-frequency identification) structures. NFC can also work when one of the devices is not powered by a battery, e.g., on a phone that may be turned off, a contactless smart credit card, a smart poster, etc.

Prokoski teaches a device which sends biometric encrypted data. The claimed devices and methods require NFC transceiver wherein when data from NFC is requested, it is then processed or transmitted and combined with a biometric authenticated application, such as payment/access-control/air-lock transaction, on a server/account. Prokoski teaches a biometric key for accessing a portal whereas applicant's

6779/PCT/USSN 10/593,323
Group Art Unit 2618

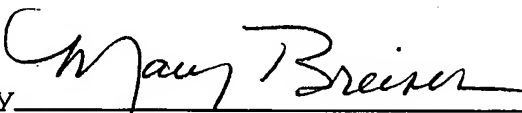
invention concerns mobile NFC transactions to
servers/accounts.

As such, Prokoski does not teach a mobile handset
device with one or more Near Field Communication
transceivers as claimed. Accordingly, Prokoski does not
teach each and every element of the invention as claimed and
thus, does not anticipate the invention as claimed within
the meaning of 35 U.S.C. § 102. Withdrawal of the § 102
rejection is respectfully requested.

Reconsideration and allowance of the claims are
respectfully urged.

Respectfully submitted,

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Attachment - Replacement Drawings (2 Sheets/2 Figures)